

**EXHIBIT 5**  
**PART 3**

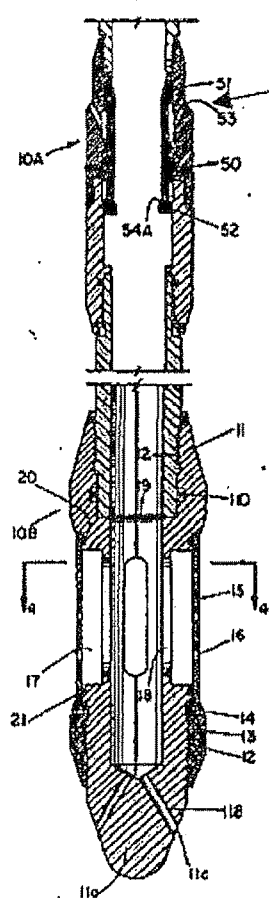
**Prior Art Reference (15)—“Murray” (Ex. X)**

Prior Art Reference (15) discloses a horizontal well circulation tool comprising an inner tubular member located within an outer tubular member. The outer tubular member has upper ports or passageways. The inner tubular member is moveable to open the upper ports.

**First position:**  
**Passageway blocked**

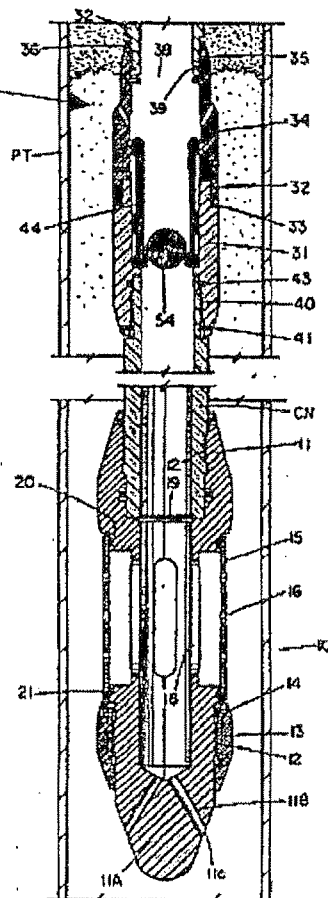


**Second position:**  
**Passageway opened**



**FIG. 2**

passageway



**FIG. 3**

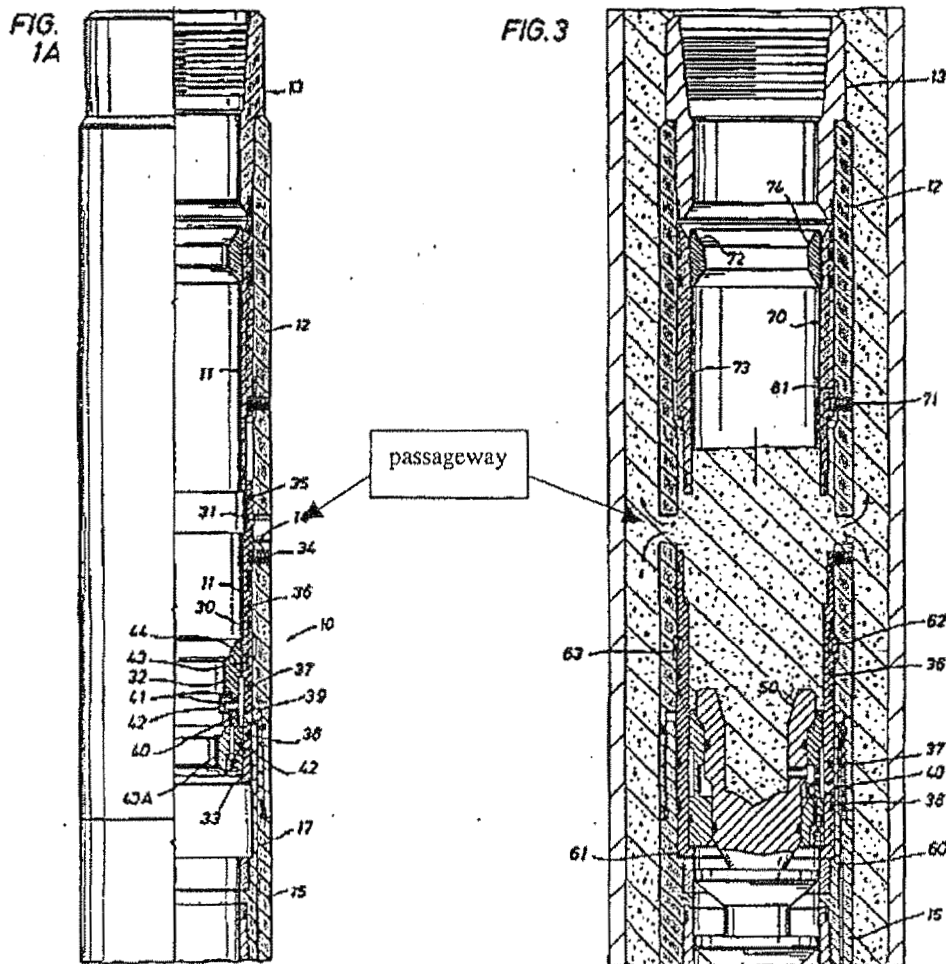
**Prior Art Reference (16)—“Coone et al.” (Ex. Y)**

Prior Art Reference (16) discloses a cementing apparatus and method comprising inner tubular member(s) located within an outer tubular member. The outer tubular member has upper port(s) or passageway(s). A lower inner tubular member is moveable to open the upper ports for cementing.

**First position:**  
**Passageway blocked**



**Second position:**  
**Passageway opened**



Prior Art Reference (17)—“Ehlinger et al.” (Ex. Z)

Prior Art Reference (17), which shares a named inventor with the '336 patent, discloses an apparatus for cementing a casing string comprising an inner tubular member located within an outer tubular member. The outer tubular member has upper port(s) or passageway(s). The inner tubular member is moveable to open the upper ports for cementing.

First position:  
Passageway blocked



Second position:  
Passageway opened

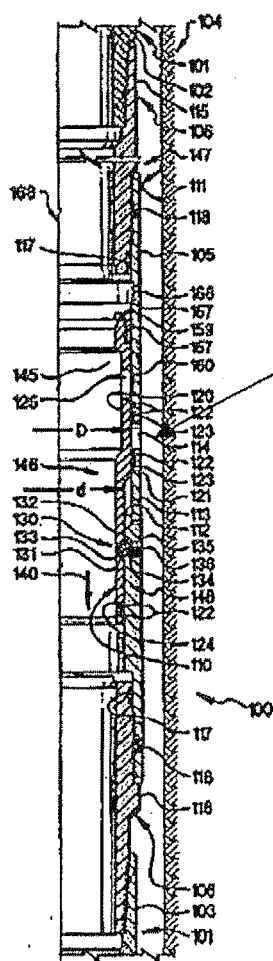


FIG. 1

passageway

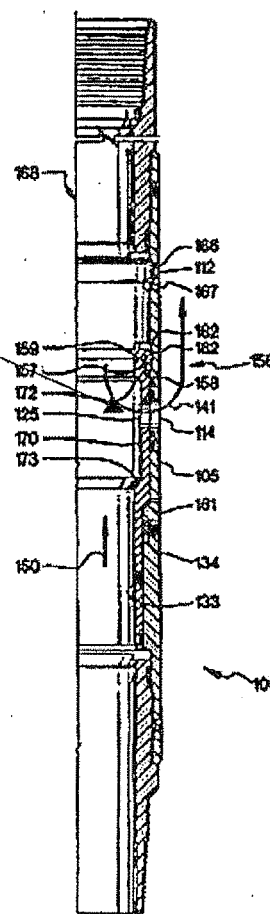
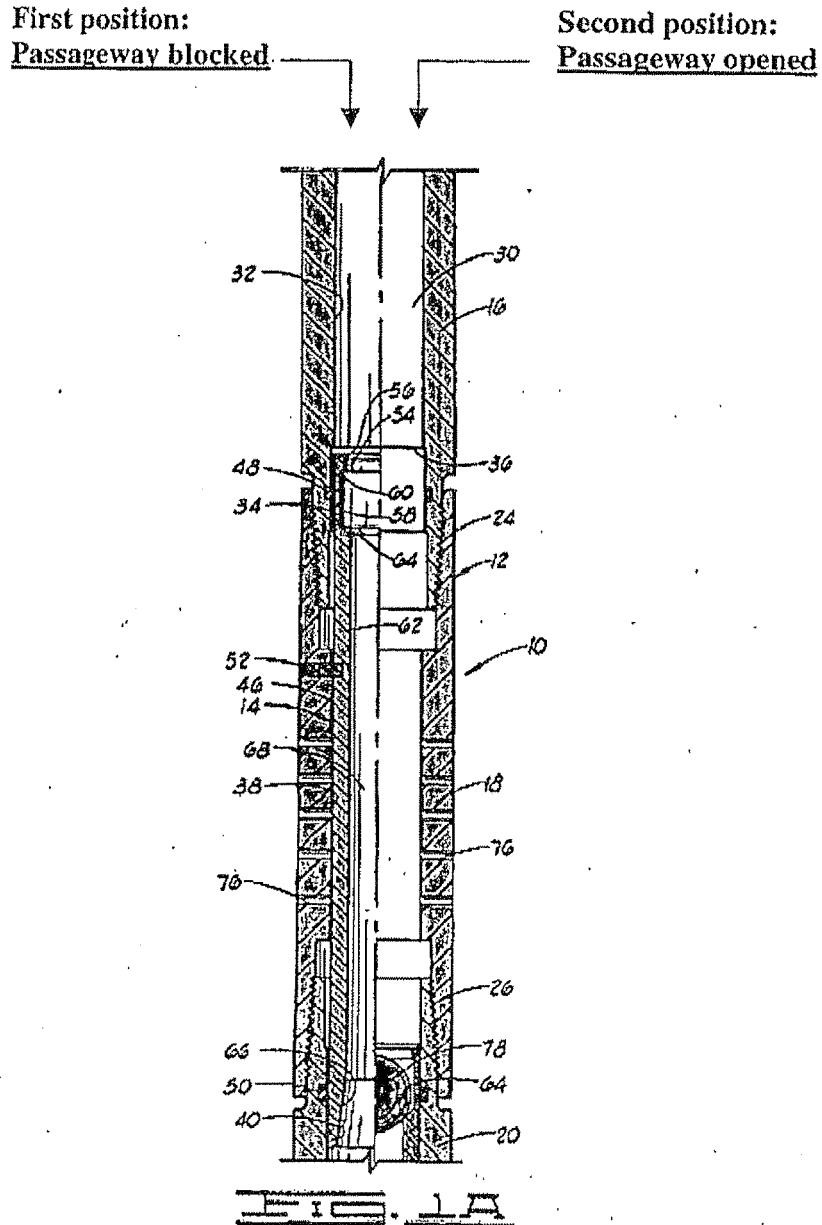


FIG. 2

**Prior Art Reference (18)—“Surjaatmadja et al.” (Ex. AA)**

Prior Art Reference (18) discloses a surface switchable down-jet/side-jet apparatus comprising an inner tubular member located within an outer tubular member. The outer tubular member has upper port(s) or passageway(s). The inner tubular member is moveable to open the upper ports.



46

Request for Reexamination of  
U.S. Patent No. 6,679,336  
Atty. Ref.: 13137.0230.RXUS

The disclosures of Prior Art References (14) through (18) disclose the essential elements of the '336 patent, particularly of claim 4. In view of Prior Art References (1) through (7), Prior Art References (14) through (18) render claims 1-7, 14-18, and/or 33-54 obvious and, therefore, they should be cancelled from the '336 patent.

#### **B. Application of the Cited References to the Claims**

The pertinence and application of the cited references may be best understood by referring to the following claim chart. The chart (TABLE) identifies with a check mark ("✓") each limitation that is found in the cited references. As will be readily appreciated from the graphic presentation, each of the cited references, alone or in combination, presents substantial new questions of patentability with respect to claims 1-7, 14-18, and 33-54 of the '336 patent. In reviewing the following information, the Examiner respectfully is reminded that the claims are *not* entitled to any presumption of validity whatsoever but are to be given their broadest reasonable interpretation consistent with the specification (without reading any limitations in the specification into the claims). See MPEP § 2258(I)(G) (citing *In re Etter*, 756 F.2d 852 (Fed. Cir. 1985)); *In re Yamamoto*, 740 F.2d 1569 (Fed. Cir. 1984)).

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
	CLAIMS 1 THROUGH 7											
	Preamble is not a claim limitation.											
1. Float collar/shoe equipment for use in lowering a tubular string into a wellbore, said equipment comprising:  an outer tubular member having an open lower end which opens into the wellbore to permit flow of fluid into or out of the tubular string bore;  an inner tubular member moveable between a first position and a second position relative to the stationary outer tubular, wherein said inner tubular member is within said outer tubular member in said first position;	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
one or more valves positioned between said outer tubular member and said inner tubular member when said inner tubular member is in said first position; and  said one or more valves being insulated from fluid flow in said first position and being selectively engageable with fluid flow in said second position.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2. Float collar/shoe equipment of claim 1, further comprising: one or more valve seats positioned between said outer tubular member and said inner tubular member.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
3. Float collar/shoe equipment of claim 2, wherein said inner tubular member is moveable with respect to said outer tubular member from said first position to a second position for uncovering said valves and said valve seats.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Preamble is not a claim limitation.

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
4. Float collar/shoe equipment of claim 1, wherein said outer tubular member defines one or more passageways therethrough which are blocked by said inner tubular member in said first position, said one or more passageways being opened to permit fluid flow from within said tubular string to outside of said tubular string when said inner tubular member is moved from said first position to a second position.									✓			✓
5. Float collar/shoe equipment of claim 1, further comprising a seat secured to said inner tubular member for receiving a drop member.	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓
6. Float collar/shoe equipment of claim 1, wherein said one or more valves comprises a plurality of flapper valves.	✓	✓	✓	✓	✓			✓	✓	✓		
7. Float collar/shoe equipment of claim 1, wherein said one or more valves are held in an open position when said inner tubular member is in said first position.	✓	✓	✓	✓	✓	✓	✓			✓	✓	



TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
CLAIMS 14 THROUGH 18												
Preamble is not a claim limitation.												
14. A method for completing a well operable for use in lowering a tubular string into a wellbore, said tubular string having an inside and an outside external to said inside, said method comprising: sealing off one or more valves from fluid flow through said tubular string such that said valves are held in an open position; selectively uncovering said valves for controlling fluid flow through said tubular string;	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
providing an inner tubular member moveable between a first position and a second position; and providing an outer tubular member having an open lower end which opens into said wellbore to permit flow of fluid into or out of said bore wherein said moveable inner tubular member is mounted to block fluid flow through said open lower end in said second position.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
15. The method of claim 14, wherein said step of selectively uncovering further comprises dropping a member into said tubular string.	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	

*Preamble is not a claim limitation.*

TABLE

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	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
16. The method of claim 14, further comprising: selectively closing one or more passageways between said inside of said tubular string and said outside of said tubular string.	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
17. The method of claim 14, wherein said step of selectively uncovering further comprises: a drop member mounted adjacent to said inner tubular member,			✓			✓				✓		
said drop member being operable in response to fluid pressure for engaging said inner tubular member; and	✓	✓	✓	✓	✓	✓	✓		✓	✓		
utilizing a fluid pressure acting on said drop member to engage said inner tubular member.	✓	✓	✓	✓	✓	✓	✓		✓	✓		
18. The method of claim 14, wherein said step of selectively uncovering further comprises: a drop member mounted adjacent to said inner tubular member,			✓			✓				✓		
said drop member being operable in response to fluid pressure for engaging said inner tubular member;	✓	✓	✓	✓	✓	✓	✓		✓	✓		
providing at least one release member, wherein said release member is breakable in response to a selected fluid pressure;	✓	✓	✓	✓	✓	✓	✓			✓		
utilizing said selected fluid pressure acting on said drop member to break said release member, wherein said drop member is seated in the inner tubular member; and	✓	✓	✓	✓	✓	✓	✓			✓		
utilizing a second fluid pressure acting on said drop member to engage said inner tubular	✓	✓	✓	✓	✓	✓	✓			✓		

Preamble is not a claim limitation.

Preamble is not a claim limitation.

TABLE

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	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
member, wherein said inner tubular member moves from said first position to said second position.												

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES												
	Printed Publications						Patents						
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)	
CLAIMS 33 THROUGH 42													
33. A float equipment assembly for lowering a tubular string from a surface position into a wellbore, said assembly comprising:	Preamble is not a claim limitation.												
an outer tubular affixed to said tubular string;	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
a first flapper valve body mounted within said outer tubular,	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
said first flapper valve body defining a first bore therethrough;	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
a first flapper closure element pivotally mounted to said first flapper valve body for pivotal movement between an open position and a closed position,	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓		
said first flapper closure element being selectively operable between an auto-fill mode and a back pressure mode,	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	
in said auto-fill mode said first flapper closure element being secured in said open position to permit fluid flow through said first bore in a direction toward said surface position and also to permit fluid flow in a direction away from said surface position,	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	

*Preamble is not a claim limitation.*

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
in said back pressure mode said first flapper closure element being pivotally moveable between said open position and said closed position responsively to fluid flow direction and being mounted to thereby prevent fluid flow through said first bore in said direction toward said surface position and to permit fluid flow in said direction away from said surface position;	✓	✓	✓	✓	✓	✓	✓			✓	✓	
a second flapper valve body mounted within said outer tubular,	✓	✓	✓	✓	✓			✓	✓	✓		
said second flapper valve body defining a second bore therethrough;	✓	✓	✓	✓	✓			✓	✓	✓		
a second flapper closure element pivotally mounted to said second flapper valve body for pivotal movement between an open position and a closed position,	✓	✓	✓	✓	✓			✓		✓		
said second flapper closure element being selectively operable between said auto-fill mode and said back pressure mode,	✓	✓	✓	✓	✓					✓		
in said auto-fill mode said second flapper closure element being secured in said open position to permit fluid flow through said second bore in said direction toward said surface position and also to permit fluid flow in said direction away from said surface position,	✓	✓	✓	✓	✓					✓		

TABLE

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	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
in said back pressure mode said second flapper closure element being pivotally moveable between said open position and said closed position responsively to fluid flow direction and being mounted to thereby prevent fluid flow through said second bore in said direction toward said surface position and to permit fluid flow in said direction away from said surface position; and	✓	✓	✓	✓	✓					✓		
an inner tubular having an inner tubular flow path therethrough,	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
said inner tubular being initially securable at a first axial position with respect to said outer tubular, in said first axial position said inner tubular being mounted to extend simultaneously through both said first bore and said second bore to thereby secure said first flapper closure element in said open position for operation in said auto-fill mode and to secure said second flapper closure element in said open position for operation in said auto-fill mode,	✓	✓	✓	✓	✓					✓		
said inner tubular being axially moveable from said first axial position away from said first flapper valve body and said second flapper valve body to thereby release said first flapper closure element for operation in said back pressure mode and also to release said second flapper element for operation in said back pressure mode.	✓	✓	✓	✓	✓					✓		

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TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
34. The assembly of claim 33, comprising: a drop member receptacle mounted to said inner tubular,	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓
said drop member receptacle being operable for catching a drop member,	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓
said drop member receptacle being positioned to restrict fluid flow through said inner tubular flow path when said drop member is caught in said drop member receptacle.	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓
35. The assembly of claim 34, further comprising: at least one mounting member for securing said inner tubular in said first axial position, said at least one mounting member being responsive to a first selected fluid pressure to release said inner tubular when said drop member is caught in said drop member receptacle.	✓	✓	✓	✓	✓	✓	✓					
36. The assembly of claim 35, wherein said at least one release [sic] member is breakable in response to said first selected fluid pressure.	✓	✓	✓	✓	✓	✓	✓					
37. The assembly of claim 35, further comprising: a fluid pressure-operated tool mountable to said tubular string for operation at a second selected fluid pressure, said second selected fluid pressure being different than said first selected fluid pressure.	✓	✓	✓	✓	✓	✓	✓					
38. The assembly of claim 37, wherein said second selected fluid pressure is less than said first selected fluid pressure.	✓	✓	✓	✓	✓	✓	✓					

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
39. The assembly of claim 34, wherein said inner tubular flow path has a sufficient internal diameter to permit a drop member having an outer diameter which is less than the internal diameter of the inner tubular, to move into said inner tubular flow path.	✓	✓	✓	✓	✓		✓					✓
40. The assembly of claim 33, wherein each of said first flapper valve body, said first flapper closure element, said second flapper valve body, second flapper closure element are comprised of a drillable material.	✓	✓	✓	✓	✓	✓	✓					

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64

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TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
41. The assembly of claim 33, wherein a portion of said outer tubular has an axial length in which is contained each of said first flapper valve body, said first flapper closure element, said second flapper valve body, said second flapper closure element, and said inner tubular when mounted at said first axial position, said outer tubular within said axial length comprising a cylindrical wall structure with no apertures or uncoverable apertures therein that permit fluid flow from inside of said outer tubular to outside of said outer tubular.	✓	✓	✓	✓	✓					✓		
42. The assembly of claim 33, further comprising: at least one shoulder formed on said outer tubular for engaging and supporting at least tubular. [sic]	Claim language lacks proper antecedent basis and is incapable of construction.											

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
CLAIMS 43 THROUGH 53												
43. A method for running a tubular string from a surface position into a wellbore and for cementing said tubular string within said wellbore, said method comprising: mounting a plurality of flapper valves, having a bore, in a float equipment tubular attached to said tubular string; covering said bore of said plurality of flapper valves by extending an inner tubular through all of said plurality of flapper valves; running said tubular string with said float equipment tubular into the wellbore such that the wellbore fluid flows inwardly into said tubular string through said inner tubular; and removing said inner tubular from said plurality of flapper valves such that said flapper valves are pivotal to thereby open in response to a direction of fluid flow away from said surface position and to close in response to a direction of fluid flow towards said surface position.	✓	✓	✓	✓	✓			✓	✓	✓		
44. The method of claim 43, wherein said step of removing said tubular further comprises: pumping a drop member into said tubular.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

*Preamble is not a claim limitation.*

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
45. The method of claim 44, further comprising: seating said drop member in said tubular, and utilizing a fluid pressure acting on said drop member to remove said tubular from said plurality of flapper valves.	✓	✓	✓	✓	✓				✓			
46. The method of claim 45, further comprising: breaking a breakable member.	✓	✓	✓	✓	✓	✓	✓					
47. The method of claim 43, further comprising: providing said drop member with a diameter of at least two inches.			✓									
48. The method of claim 43, further comprising: forming said plurality of flapper valves from a drillable material.	✓	✓	✓	✓	✓	✓	✓					
49. The method of claim 43, further comprising: providing said plurality of flapper valves with an outer diameter substantially equal to an inner diameter of said float equipment tubular such that said outer diameter of said flapper valves engages said inner diameter of said float equipment.	✓	✓	✓	✓	✓			✓		✓		
50. The method of claim 49, further comprising: providing a shoulder in said float equipment tubular for securing said plurality of flapper valves in position therein.	✓	✓	✓	✓	✓			✓	✓	✓		
51. The method of claim 43, further comprising: providing each of said plurality of flapper valves with a bore greater than two inches in diameter, and		✓	✓							✓		

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES													
	Printed Publications							Patents						
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)		
providing that said tubular extending through said plurality of flapper valves has a tubular bore with an inner diameter greater than two inches and an outer diameter less than said bore of said plurality of flapper valves.		✓	✓							✓				
52. The method of claim 43, further comprising: sealing off said plurality of flapper valves utilizing said tubular and at least one seal between said tubular and said float equipment tubular.		✓	✓	✓	✓			✓		✓				
53. The method of claim 43, further comprising: providing an opening through said plurality of flapper valves sized to reduce surge pressure.	✓	✓	✓	✓	✓			✓	✓	✓				

TABLE

CLAIM LIMITATION	PRIOR ART REFERENCES											
	Printed Publications						Patents					
	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
	CLAIM 54											
54. Well equipment operable for use in lowering a tubular string into a wellbore, said well equipment comprising:	<i>Preamble is not a claim limitation..</i>											
a moveable member,	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
one or more valves,	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
said moveable member being operable for activating said one or more valves for controlling fluid flow through said tubular string; and	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
a drop member mounted adjacent to said moveable member,			✓			✓				✓		
said drop member being operable in response to fluid pressure for engaging said moveable member.	✓	✓	✓	✓	✓	✓	✓		✓	✓		

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**VII. THE PRIOR ART REFERENCES DETAILED ABOVE PRESENT  
SUBSTANTIAL NEW QUESTIONS OF PATENTABILITY**

**A. Prior Art References (1) through (8) and (10) through (13) Anticipate Independent  
Claims 1, 14, 33, 43, and 54 of the '336 Patent**

Requester has clearly shown that Prior Art References (1) through (8) and (10) through (13) disclose each and every element of independent claims 1, 14, 33, 43, and 54 of the '336 patent. Several of these references were not disclosed with Patentee's reexamination request at all, and several other of these references were disclosed with Patentee's reexamination request but were inaccurately characterized.

With respect to independent claim 1, Prior Art References (1) through (8) and (10) through (13) each disclose an outer tubular member having an open lower end; an inner tubular member moveable between a first position and a second position, and within the outer tubular member in the first position; one or more valve(s) positioned between the outer tubular member and inner tubular member when the inner tubular member is in the first position; and the valve(s) being insulated from fluid flow in the first position and being selectively engageable with fluid flow in the second position.

With respect to independent claim 14, Prior Art References (1) through (8) and (11) through (13) each disclose sealing off one or more valve(s) from fluid flow through a tubular string such that the valve(s) are held in an open position; selectively uncovering the valve(s) for controlling fluid flow through the tubular string; providing an inner tubular member moveable between a first position and a second position; and providing an outer tubular member having an open lower end wherein the moveable inner tubular member is mounted to block fluid flow through the open lower end in the second position.

With respect to independent claim 33, Prior Art References (1) through (6) and (11) through (12) each disclose an outer tubular affixed to a tubular string; first and second flapper valve bodies mounted within the outer tubular and defining a first and second bores, respectively; and first and second flapper closure elements pivotally mounted to the first and second flapper valve bodies, respectively, for movement between open and closed positions and selectively operable between an auto-fill mode and a back pressure mode. Additionally, Prior Art References (1) through (6) and (11) through (12) each disclose an auto-fill mode in which the flapper closure elements are secured in the open position to permit fluid flow in directions both

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toward and away from the surface, and a back pressure mode in which the flapper closure elements are pivotally moveable between open and closed positions responsively to fluid flow direction and are mounted to prevent fluid flow in a direction toward the surface and to permit fluid flow in a direction away from the surface. Finally, Prior Art References (1) through (6) and (11) through (12) each disclose an inner tubular that is initially securable at a first position in which it is mounted to extend simultaneously through both the first and second bores to thereby secure the first and second flapper closure elements in the open position for operation in the auto-fill mode, and that is axially moveable from the first position away from the first and second flapper valve bodies to thereby release the first and second flapper closure elements for operation in the back pressure mode.

With respect to independent claim 43, Prior Art References (1) through (6) and (11) through (12) each disclose mounting a plurality of flapper valves, having a bore, in a float equipment tubular attached to a tubular string; covering the bore by extending an inner tubular through all of the plurality of flapper valves; running the tubular string with float equipment tubular into the wellbore such that wellbore fluid flows inwardly into the tubular string through the inner tubular; and removing the inner tubular from the plurality of flapper valves such that the flapper valves are pivotal to open in response to a direction of fluid flow away from the surface and to close in response to a direction of fluid flow toward the surface.

With respect to independent claim 54, Prior Art References (4), (7), and (11) through (12) each disclose one or more valve(s), a moveable member that is operable for activating the valve(s) for controlling fluid flow through a tubular string; and a drop member mounted adjacent to the moveable member and operable in response to fluid pressure for engaging the moveable member.<sup>4</sup>

Accordingly, Prior Art References (1) through (8) and (10) through (13) anticipate independent claims 1, 14, 33, 43, and 54 of the '336 patent.

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<sup>4</sup> At the preliminary injunction stage of litigation, the district court found that the accused infringers had raised substantial questions as to the validity of claim 54 over references that included Prior Art References (3) through (7). (Ex. E (Order Denying Motion for Preliminary Injunction) at 3-4.) (Prior Art References (11) and (12) were not raised by the litigants or considered by the district court at that time.) While Requester acknowledges that the court's conclusion is not binding on the PTO, the Examiner is respectfully urged to consider the court's order, particularly given that the Patentee's arguments in its reexamination request substantially mirror the arguments it presented unsuccessfully in the preliminary injunction proceedings.

**B. Prior Art References (1) through (8) and (10) through (13) Anticipate Dependent Claims 2 through 7, 15 through 18, 34 through 42, and 44 through 53 of the '336 Patent**

Requester has also clearly shown that Prior Art References (1) through (8) and (10) through (13) disclose each and every element of dependent claims 2 through 7, 15 through 18, 34 through 42, and 44 through 53 of the '336 patent. Several of these references were not disclosed with Patentee's reexamination request at all, and several other of these references were disclosed with Patentee's reexamination request but were inaccurately characterized.

With respect to dependent claims 2 and 3, Prior Art References (1) through (8) and (10) through (13) each disclose one or more valve seat(s) positioned between the outer tubular member and inner tubular member, wherein the inner tubular member is moveable from the first to second position for uncovering the valve(s) and valve seat(s). With respect to dependent claim 4, Prior Art Reference (10) discloses an outer tubular member that defines one or more passageway(s) therethrough, which are blocked by the inner tubular member in the first position, and which are opened to permit fluid flow from within the tubular string to outside of the tubular string when the inner tubular member is moved from the first to second position. With respect to dependent claim 5, Prior Art References (1) through (8) and (10) through (12) disclose a seat secured to the inner tubular member for receiving a drop member. With respect to dependent claim 6, Prior Art References (1) through (6) and (10) through (12) each disclose a plurality of flapper valves. And with respect to dependent claim 7, Prior Art References (1) through (8) and (11) through (13) each disclose one or more valve(s) held in an open position when the inner tubular member is in the first position.

With respect to dependent claim 15, Prior Art References (1) through (8) and (11) through (12) each disclose selectively uncovering valve(s) by dropping a member into the tubular string. With respect to dependent claim 16, Prior Art References (1) through (8) and (11) through (13) each disclose selectively closing one or more passageway(s) between the inside of the tubular string and the outside of the tubular string (for example, by way of an activated flapper valve). With respect to dependent claims 17 and 18, Prior Art References (4), (7), and (11) through (12) each disclose providing a drop member mounted adjacent to the inner tubular member; providing at least one release member breakable in response to a selected fluid pressure; utilizing a selected fluid pressure acting on the drop member to break the release



member, wherein the drop member is seated in the inner tubular member; and utilizing a second fluid pressure acting on the drop member to engage the inner tubular member to move it from the first to second position.

With respect to dependent claim 34, Prior Art References (1) through (6) and (11) through (12) each disclose a drop member receptacle mounted to the inner tubular that is operable for catching a drop member and that is positioned to restrict fluid flow through the inner tubular when the drop member is caught. With respect to dependent claims 35 through 38, Prior Art References (1) through (6) each disclose at least one mounting member for securing the inner tubular in the first position that is responsive to a first selected fluid pressure to release the inner tubular when the drop member is caught in the drop member receptacle; a release member breakable in response to the first selected fluid pressure; and a fluid pressure-operated tool mountable to the tubular string for operation at a second selected fluid pressure that is different and less than the first selected fluid pressure. With respect to dependent claim 39, Prior Art References (1) through (6) each disclose an inner tubular flow path with sufficient internal diameter to permit a drop member having an outer diameter less than the internal diameter of the inner tubular to move into the inner tubular flow path. With respect to dependent claim 40, Prior Art References (1) through (6) each disclose first and second flapper valve bodies and first and second flapper closure elements comprised of a drillable material: Prior Art References (1) and (2) explicitly, and Prior Art References (3) through (6) by functional implication. With respect to dependent claim 41, Prior Art References (1) through (6) and (11) through (12) each disclose the outer tubular comprising a cylindrical wall structure with no apertures or uncoverable apertures that permit fluid flow from inside to outside of the outer tubular within an axial length containing the first and second flapper valve bodies, first and second flapper closure elements, and inner tubular when mounted at the first position. Finally, claim 42 lacks proper antecedent basis for the term "at least tubular" and therefore is incapable of construction.

With respect to dependent claim 44, Prior Art References (1) through (6) and (11) through (12) each disclose pumping a drop member into a tubular member. With respect to dependent claims 45 and 46, Prior Art References (1) through (6) each disclose seating a drop member in a tubular and utilizing fluid pressure acting on the drop member to remove the tubular from a plurality of flapper valves, as well as breaking a breakable member. With respect to dependent claim 47, Prior Art Reference (4) discloses providing a drop member with a diameter

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of any size including a diameter of at least two inches. With respect to dependent claim 48, Prior Art References (1) through (6) each disclose flapper valve bodies and flapper closure elements comprised of a drillable material: Prior Art References (1) and (2) explicitly, and Prior Art References (3) through (6) by functional implication. With respect to dependent claims 49 and 50, Prior Art References (1) through (6) and (11) through (12) each disclose providing the plurality of flapper valves with an outer diameter substantially equal to an inner diameter of the float equipment tubular such that the outer diameter of the flapper valves engages the inner diameter of the float equipment, and providing a shoulder in the float equipment tubular for securing the plurality of flapper valves in position therein. With respect to dependent claim 51, Prior Art References (11) and (12) explicitly and (3) and (4) implicitly disclose providing each of the plurality of flapper valves with a bore greater than two inches in diameter, and providing the tubular extending through the plurality of flapper valves with a tubular bore having an inner diameter greater than two inches and an outer diameter less than the bore of the plurality of flapper valves.<sup>5</sup> With respect to dependent claim 52, Prior Art References (3) through (6) and (11) through (12) each disclose sealing off the plurality of flapper valves utilizing a tubular and at least one seal between the tubular and the float equipment tubular. Finally, with respect to dependent claim 53, Prior Art References (1) through (6) and (11) through (12) each disclose providing an opening through the plurality of flapper valves sized to reduce surge pressure.

Accordingly, Prior Art References (1) through (8) and (10) through (13) anticipate dependent claims 2 through 7, 15 through 18, 34 through 42, and 44 through 53 of the '336 patent.

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<sup>5</sup> At the preliminary injunction stage of litigation, the district court found that the accused infringers had raised substantial questions as to the validity of claim 51 over references that included Prior Art References (3) through (7). (Ex. E (Order Denying Motion for Preliminary Injunction) at 3-4.) (Prior Art References (11) and (12) were not raised by the litigants or considered by the district court at that time.) While Requester acknowledges that this conclusion is not binding on the PTO, the Examiner is respectfully urged to consider the court's order, particularly given that the Patentee's arguments in its reexamination request substantially mirror the arguments it presented unsuccessfully in the preliminary injunction proceedings.

**C. Other Prior Art References, Including but Not Limited to Prior Art References (7) through (9) and (13) Through (18), Render Obvious Various Claims of the '336 Patent in View of the Anticipating Prior Art**

Other Prior Art References also render obvious various dependent claims of the '336 patent in view of the anticipating Prior Art References discussed above, as detailed in the TABLE of Section VI.B. For example, with the exception of *multiple* flapper valves, Prior Art References (7), (8), and (13) disclose each and every essential element of the apparatus and method claimed in the '336 patent. Further, with the exception of flapper valves, Prior Art References (14) through (18) disclose each and every element of the apparatus and method claimed in dependent claims 4 and 16 of the '336 patent. Additionally, Prior Art Reference (9) discloses a tool extremely similar to the apparatus claimed in the '336 patent, the only difference being that the operational sequence disclosed is essentially reversed from the operation of the apparatus of claims 1-7, 14-18, and 33-54.

Accordingly, other prior art references, including but not limited to Prior Art References (7) through (9) and (13) through (18), render obvious claims 1-7, 14-18, and 33-54 of the '336 patent in view of the anticipating Prior Art References discussed above.

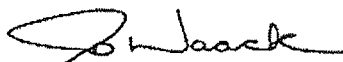
\* \* \* \* \*

In view of the foregoing observations, Requester respectfully submits that the cited references present substantial new questions of patentability for claims 1-7, 14-18, and 33-54 of the '336 patent. Reexamination of all claims in view of the cited references is therefore requested.

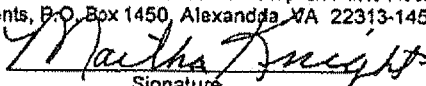
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